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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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09/905,723

12/08/2000

J. B. von Grabe

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11/17/2005

NATH & ASSOCIATES

Suite 600

1030 15th St, NW

Washington, DC 20005-1509

EXAMINER

NGUYEN, TAN QUANG

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/905,723

Applicant(s)

VON GRABE, J. B.

Examiner

TAN Q. NGUYEN

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21, 27-32 and 35 is/are rejected.
- 7) ☒ Claim(s) 22-26 and 33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAIL ACTION

Notice to Applicant(s)

1. This office action is responsive to the amendment filed on September 08, 2005. As per request, claims 1-15 have been canceled. Claims 16-35 have been added. Thus, claims 15-35 are pending.
2. Upon the newly added claims, the previous rejections under 112 and 101 have been withdrawn.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 16, 19-21, 27, 28, 31, 32, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fan et al. (6,594,576).
5. With respect to claims 16 and 28, Fan et al. disclose an apparatus and method for supplying routing instructions to subscribers upon request which includes the steps of providing a route segment database (see at least column 5, lines 1-25), receiving an input from a subscriber indicative of subscriber identity and a destination code (see at least the abstract and figure 12, item 91), associating the destination code to the database and together with the received traffic flow from the float vehicles to

determining a fastest route for the subscriber (see at least figure 12 and the related text), and then transmitting such fastest route to the subscriber (see figure 12, items 96-98).

6. Fan et al. do not disclose the subscriber specific matrix comprising a plurality of routes from a first coordinate to a second coordinate, and each route comprising of segments. However, Fan et al. do disclose the at least a road data, maps, and a road segment database which is used to calculate the fastest route from point A to B for the subscriber, and also the table 41 is indexed by road segments (see column 5, lines 1-25 and column 6, lines 54-64). It would have been obvious to an ordinary skill in the art at the time the invention was made to realized that the points A and B are referred to the coordinate in the map, which includes the longitudinal and latitudinal. Thus, such databases in Fan et al. do includes the matrix which includes a plurality of routes from one point to another.

7. With respect to claims 19 and 31, Fan et al. disclose that the speed and direction of the subscriber are determined (see at least column 6, lines 26-28).

8. With respect to claims 20, 21 and 32, Fan et al. further disclose the float cars for providing their location, speed, average speed for calculating the traffic flow of the each segments (see at least figure 12, column 5, lines 30-58, column 6, lines 21-68).

9. With respect to claims 27 and 35, Fan et al. also disclose the transmitting of traffic data (see figure 6, item 65).

10. With respect to claim 34, Fan et al. also disclose a report traffic information (see at least figure 6 and the related text).

11. Claims 17, 18, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fan et al. as applied to the claims above, and further in view of Drake, Jr. et al. (6,094,687).

12. Fan et al. disclose the claimed invention as discussed above except for the utilize of Ford-Fulkerson algorithm or Dijkstra algorithm for analyzing the route calculation. However, such algorithms are old and wide well known in the navigation art at the time the invention was made and is shown in at least column 7, lines 16-62 of the Drake, Jr. et al. reference. It would have been motivated one of ordinary skill in the art to utilize the known algorithm such as Ford-Fulkerson algorithm or Dijkstra into the system of Fan et al. to obtaining the desired route calculation for the subscriber.

13. Claims 22-26 and 33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

14. All claims are rejected.

15. The following references are cited as being of general interest: Waizmann et al. (5,919,246), Roeseler et al. (6,317,684), Knockeart et al. (6,621,452), and Vandermeijden (6,804,524).

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Tan Q. Nguyen, whose telephone number is (571) 272-6966. The examiner can normally be reached on Monday-Thursday from 5:30 AM-4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached on (571) 272-6956.

Any response to this action should be mailed to:

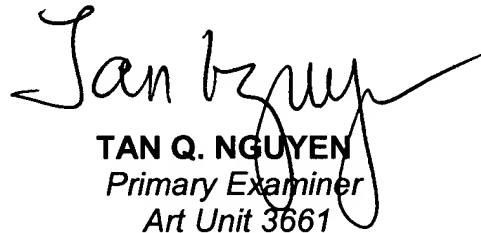
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or faxed to the Official Fax Center: (571) 273-8300.

Art Unit: 3661

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/tqn
November 11, 2005


TAN Q. NGUYEN
Primary Examiner
Art Unit 3661